



# Senate

## File No. 581

General Assembly

February Session, 2002

**(Reprint of File No. 154)**

Substitute Senate Bill No. 80  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
April 26, 2002

### **AN ACT CONCERNING THE SALE OF RAW MILK AND MACARONI.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) No person, handler, as  
2 defined in section 22-127 of the general statutes, firm or corporation  
3 shall offer for retail sale any milk or milk products that have not been  
4 pasteurized, unless: (1) The container for such milk or milk products  
5 has an affixed label or a durable card securely attached thereto with  
6 the following warning in at least ten-point type: "WARNING: Raw  
7 milk has not been pasteurized and, therefore, may contain harmful  
8 bacteria"; and (2) the container is provided by the person, handler, firm  
9 or corporation that produced such milk or milk product.

10 Sec. 2. Subsection (e) of section 21a-28 of the general statutes is  
11 repealed and the following is substituted in lieu thereof (*Effective*  
12 *October 1, 2002*):

13 (e) It shall be unlawful for any person to manufacture, mix,  
14 compound, sell or offer for sale in this state for human consumption  
15 any macaroni unless such macaroni is enriched, before retail sale, in

16 conformance with federal standards enumerated in 21 Code of Federal  
17 Regulations Part 139, as may be amended from time to time and unless  
18 such person provides evidence of compliance as required by  
19 regulations issued by the commissioner under the provisions of  
20 chapter 54. The requirements of this subsection shall not apply to the  
21 manufacture of, mixing of, compounding of, or selling or offering for  
22 sale in this state any macaroni that consists entirely of natural  
23 ingredients.

|  |                        |
|--|------------------------|
| This act shall take effect as follows: |                        |
| Section 1                              | <i>October 1, 2002</i> |
| Sec. 2                                 | <i>October 1, 2002</i> |

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

| Fund-Type | Agency Affected  |
|-----------|--|
| GF - None | Department of Agriculture; Department of Consumer Protection |

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

Passage of this bill will have no fiscal impact on the Department of Agriculture (DOAG). DOAG employees will check for conformity with the changes in the sale of raw milk provisions during their current duties/inspections.

In addition, since federal law, which preempts state and local standards, allows for the sale of un-enriched products, this legislation would have no fiscal impact on the Department of Consumer Protection.

House "A" concerns the sale of un-enriched products and has no fiscal impact.

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**OLR Amended Bill Analysis**

sSB 80 (as amended by House "A")\*

**AN ACT CONCERNING THE SALE OF RAW MILK****SUMMARY:**

This bill prohibits the retail sale of raw unpasteurized milk or milk products unless (1) the producer provided the container and (2) it bears the following:

WARNING: Raw milk has not been pasteurized and, therefore, may contain harmful bacteria.

The bill specifically applies to individuals, firms, and handlers, which, by law, include these entities and cooperative associations that receive, handle, distribute, or sell fluid milk or milk products that, in whole or in part, are intended for bottling, manufacturing, processing distribution or sale in the state.

The warning must be stated in at least 10-point type on a label affixed to the container or on a card securely attached to it.

In addition, the bill exempts macaroni consisting entirely of natural ingredients from the law prohibiting manufacturing, mixing, compounding, selling, or offering for sale macaroni and other flour products unless they have been enriched in compliance with federal regulations.

\*House Amendment "A" adds the exemption concerning all-natural macaroni.

EFFECTIVE DATE: October 1, 2002

**BACKGROUND*****Federal Regulations on Macaroni***

Federal regulations establish standards of identity for macaroni products (21 CFR Part 139). In general, they define macaroni products as the class of food prepared by drying formed dough made from one or more types of flour in combination with water and other optional ingredients. There are separate standards for several types of products, including enriched macaroni with fortified protein, milk macaroni, nonfat milk macaroni, vegetable macaroni, and noodles.

**Related Bill**

“An Act Concerning Electronic Pricing Exemptions,” SB 500 (File 549, as amended by House “A”), contains an identical macaroni exemption.

**Legislative History**

On April 3, the Senate referred the bill (File 154) to the General Law Committee, which reported it with no changes on April 10.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute  
Yea 27    Nay 0

General Law Committee

Joint Favorable Report  
Yea 17    Nay 0